IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL SIDE JURISDICTION

WRIT PETITION NO.769 OF 2007

Shantilal Jain ad ors Petitioners.

Vs

The Commissioner

Mun Corpn of Gr Mumbaiand ors ..Respondents

Ms Anvee Mehta i/b M/s Yusuf & Associates for petitioners
Mr C.S. Balsara with Mr H N Vakil i/b M/s Mulla and Mulla for respondent nos. 3 to 6
Mrs P.A Purandhare for respondent BMC.

CORAM: SWATANTER KUMAR, C.J., &
Dr.D.Y.CHANDRACHUD, J.
Dated: 9th August 2007

P.C.:

After hearing the learned counsel for the parties for sometime, by consent the writ petition is taken up for final hearing and the same is disposed of with a direction to the Corporation i.e. Executive Engineer Building Proposals (City) to hear the petitioners as well as respondent Nos. 3 to 6 and then pass appropriate order on the application of the petitioner dated 30th May 2006, within a period of four weeks from today. We make it clear that the application shall not be rejected only on the ground that the landlord has raised some objection. However, this order

is without prejudice to the rights and contentions of the parties. Writ petition is disposed of with the above directions, leaving the parties to bear their own costs.

CHIEF JUSTICE

Dr. D.Y.CHANDRACHUD, J.